



## LODI CITY COUNCIL

Carnegie Forum  
305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: June 16, 2004

Time: 5:30 p.m.

For information regarding this Agenda please contact:

**Susan J. Blackston**

**City Clerk**

**Telephone: (209) 333-6702**

*NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.*

### **ADDENDUM**

Subsequent to the publication and posting of the agenda on Thursday, June 10, 2004, the following item was submitted for Council consideration.

#### **C-2 Announcement of Closed Session**

- f) Actual Litigation: Government Code §54956.9(a); one case; Sanchez v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV 022301

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this Agenda was posted at least 72 hours in advance of the scheduled meeting at a place freely accessible to the public 24 hours a day.

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Susan J. Blackston  
City Clerk



## LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

## AGENDA - REGULAR MEETING

Date: June 16, 2004

Time: Closed Session 6:00 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

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### C-1 Call to Order / Roll Call

### C-2 Announcement of Closed Session

- a) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- e) Actual Litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM

### C-3 Adjourn to Closed Session

**NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.**

### C-4 Return to Open Session / Disclosure of Action

#### A. Call to Order / Roll call

B. Invocation – Pastor Richard Wheeler, Living Truth Christian Church

#### C. Pledge of Allegiance

#### D. Presentations

D-1 Awards – None

D-2 Proclamations

**Pulled**

(a) United States Army Week

D-3 Presentations

- a) Presentation by the Lodi Area All Veterans Plaza Foundation of quarterly payment on loan from City of Lodi
- b) Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program (COM)
- c) Presentation regarding Celebration on Central (CM)

**E. Consent Calendar (Reading; comments by the public; Council action)**

- E-1 Receive Register of Claims in the amount of \$4,551,317.05 (FIN)
- E-2 Approve minutes (CLK)  
a) May 5, 2004 (Regular Meeting)  
b) June 1, 2004 (Shirtsleeve Session)  
c) June 1, 2004 (Special Meeting)  
d) June 4, 2004 (Special Meeting)  
e) June 7, 2004 (Special Meeting)
- E-3 Authorize advertisement of request for proposals for Design/Build Services for Municipal Service Center Public Works Locker Room Expansion (PW)
- Res. E-4 Adopt resolution rejecting all bids, authorizing advertisement for bids for the Henning Substation Heavy Load Access and Driveway, 1345 West Kettleman Lane, and further authorizing the City Manager to award or reject the contract (up to \$22,000) (PW)
- Res. E-5 Adopt resolution authorizing the award of contract for rental and cleaning of uniforms for certain field and warehouse employees to Unifirst Corporation (\$20,000) (PW)
- E-6 Approve additional task orders for West Yost & Associates for White Slough Facility improvements and appropriate funds (\$258,000) (PW)
- E-7 Accept improvements under contract for Communication Conduit Installation (Carnegie Forum at 305 West Pine Street to 300 West Pine Street) (PW)
- Res. E-8 Adopt resolution accepting Harney Lane and Mills Avenue Street Frontage Improvements in Century Meadows Three, Unit No. 4, Tract No. 2769 (PW)
- Res. E-9 Adopt resolution amending City of Lodi Public Works Transit Policy and Procedure for use of transit services outside of regular operations (PW)
- Res. E-10 Approve the transfer of General Fund Capital Improvement funds to the Transit fund to correct deficit (PW)
- Res. E-11 Adopt resolution authorizing the City Manager to allocate Public Benefits Program funds to extend for one year the Lodi Solar Schoolhouse Program and authorizing the City Manager to execute a contract with The Rachus Institute to assist in administering elements of this program (\$55,000) (EUD)
- Res. E-12 Adopt resolution authorizing the City Manager to allocate Public Benefits Program funds for Lodi's first annual Electronic Waste Clean-Up Day and authorizing the City Manager to execute a contract with Teris LLC/MSE Environmental to provide disposal and recycling services for this program (\$25,000) (EUD)
- Res. E-13 Adopt resolution authorizing renewal of IBM Operating System Software for AS400 from Logical Design, Inc., of Rancho Cordova, CA (\$29,200.25) (ISD)
- E-14 Set public hearing for July 21, 2004, to consider adoption of the amended Impact Mitigation Fee for Streets and Roads and amended Exhibits I and J of the Development Impact Fee Update Study, October 2001 (PW)

**F. Comments by the public on non-agenda items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**G. Public Hearings – None**

**H. Communications**

H-1 Claims filed against the City of Lodi

- a) Lehman Brothers by Helen Duncan, Esq., date of loss 2000-04
- b) James L. Byard, Ph.D., date of loss November 2003

H-2 Reports: Boards/Commissions/Task Forces/Committees – None

H-3 Appointments

- a) Appointments to the Lodi Arts Commission, Library Board of Trustees, and Planning Commission (CLK)

H-4 Miscellaneous

- a) Monthly Protocol Account Report (CLK)

**I. Regular Calendar**

I-1 Presentation of the San Joaquin County Housing Authority's Annual Report

Res. I-2 Adopt resolution approving regulations pertaining to the candidates' statements for the November 2, 2004, General Municipal Election (CA)

Res. I-3 Adopt resolution authorizing the continuation of expenditures from July 1 to 31, 2004, or until adoption of the 2004-05 Financial Plan and Budget (FIN)

I-4 Receive the Impact Mitigation Fee Program Annual Report for fiscal year 2002-03 (PW)

**J. Ordinances**

Ord. J-1 Ordinance No. 1748 entitled, "An Ordinance of the City Council of the City of Lodi Amending (Adopt) Lodi Municipal Code Chapter 12.12 – Parks – by Adding Article IV, 'Skate Parks,' Relating to Skate Park Regulations"

Ord. J-2 Ordinance No. 1749 entitled, "An Ordinance of the City Council of the City of Lodi Amending (Adopt) Title 10, Chapter 10.44, 'Stopping, Standing, and Parking,' by Adding Section 10.44.170 Related to Disabled Parking Regulations"

**K. Comments by the City Council Members on non-agenda items**

**L. Comments by the City Manager on non-agenda items**

**M. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Susan J. Blackston  
City Clerk